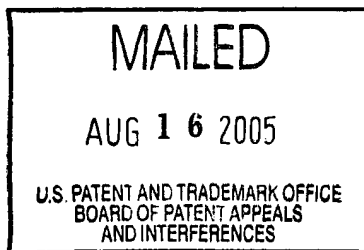The opinion in support of the decision being entered today
was not written for publication and is not binding precedent
of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

———————

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

———————

Ex parte GREGORY ROBERT ROELOFS

———————

Appeal No. 2005-2156
Application 09/960,064

———————

ON BRIEF

———————

Before THOMAS, JERRY SMITH, and GROSS, Administrative Patent
Judges.

THOMAS, Administrative Patent Judge.

DECISION ON APPEAL

Appellant has appealed to the Board from the examiner's

final rejection of claims 1 through 18.

1

Representative claim 1 is reproduced below:

1. A rendering system comprising:

a force modeler that is configured to model forces that are applied to a glyph in dependence upon a placement of the glyph, and

a glyph positioner, operably coupled to the force modeler, that is configured to select a preferred placement of the glyph, based on the forces that are applied to the glyph at the preferred placement.

The following reference is relied on by the examiner:

Brassell et al. (Brassell)   5,684,510   Nov. 4, 1997

Claims 1 through 18 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Brassell.

Rather than repeat the positions of the appellant and the examiner, reference is made to the Brief (no Reply Brief has been filed) for appellant's positions, and to the Answer for the examiner's positions.

OPINION

On the basis of the extensive and well-reasoned positions of the examiner in the Answer, we sustain the rejection of claims 1 through 18 under 35 U.S.C. § 102. We add the following to embellish upon the examiner's reasoning.

Appellant has presented arguments collectively as to system independent claim 1 and its method version in independent claim 10. Correspondingly, arguments are presented as well to dependent claims 4/13, 7/16 and 8/17.

Between pages 6-8 of the Brief, appellant argues essentially the subject matter set forth in each independent claim. Claim 1 on appeal is urged to be not taught by Brassell by simply stating that this reference is silent with respect to the glyph positioner and force modeler set forth in these respective independent claims. The extensive analysis and correlation by the examiner in his Answer leads us to conclude that based upon the weight of the evidence and arguments, the subject matter of the argued independent claims on appeal is anticipated by Brassell.

From our study of Brassell as well as the examiner's positions, we reproduce here portions of the Answer that are representative of the persuasive approach taken by the examiner:

> Brassell describes a system that grid fits
> glyphs onto pixels in accordance with values
> P, J and K and pixel coverage values[,] which
> values force the glyph to one position or
> another position during grid fitting. Thus,
> Bassell teaches modeling forces to be exerted

onto the glyph in order to move the glyph to
an integer pixel position. [Answer, page 3]

. . . .

Applicant[']s broad claim language claims
causing a change in the glyph's position by
moving the glyph in a certain direction
because the word force means to cause change
or motion. Since the claim does not define
how the force is calculated and does not
define how a force is exerted onto the glyph,
the glyph's position is merely changed with
regards to the determined force which is
merely a value that indicates change, then a
prior art reference changing the position of
a glyph by moving the glyph to a position
with regards to a determined value meets the
claim since the prior art reference deter-
mined values which indicated change. Moving
the glyph causes a change in the position of
the glyph. Determining the direction and
distance to move the glyph is "modeling
forces" that affect the glyph when the glyph
is at its current position. [Answer, page 9]

Brassell determines the direction to move
the glyph and changes the position of the
glyph by moving the glyph in accordance with
grid fitting. Column 4 lines 13-20 describes
grid fitting by using hinting. Broadly[,]
one could state Brassells' grid fitting
models forces which are applied to the glyphs
forming the character in order to change the
position of the glyphs. [Answer, page 9]

. . . .

In summary[,] the claims do not claim a
specific force model, thus, the modeling of
forces is to be given the broadest reasonable
meaning. Brassell analyzes the placement of

4

the glyphs on the pixel grid in order to
determine changes in position of the glyph
that is needed. Appellant[']s claims
analyze[] the placement of the glyphs in
order to determine needed changes in the
positions of the glyphs. Appellant[']s
claims use the word ["]force["] but they do
not claim a specific type of force. Force by
its dictionary definition and in light of the
specification is meant to be any analogous
mechanical analogy that causes change or
motion or movement of the glyph. Moving the
glyph based upon pixel coverage by the values
P, J and K and the grid fitting hinting
values is an analogous mechanical analogy
since the coverage of the glyph on the pixel
determines whether the glyph is moved, see
figures 2-3B, since the coverage of the glyph
on a set of pixels determines whether the
glyph is moved, see glyph 110 in figures 7
and 8, and since the coverage of adjacent
glyphs on the pixel grid determines how the
glyphs are moved relative to each other, see
glyphs 110, 112 of figure 7 and glyph 110',
112' of figure 8. [Answer, pages 16-17]

As to appellant's arguments beginning at page 6 of the

Brief, the examiner has addressed each of those that are set

forth between pages 6 and 8 of the Brief. It appears to us that

the appellant is essentially arguing nonanticipation of

independent claims 1 and 10 because Brassell does not teach

explicitly, in the same language, a force modeler and a glyph

positioner. The examiner persuasively argues otherwise. Not-

withstanding the fact that Brassell uses conventional "hinting"

techniques to modify the shape of a glyph, the examiner's

reasoning makes clear that the reference teaches, in other words,

a force modeler that effectively models forces that are applied

to a glyph in dependence upon the placement of the glyph as

claimed and, in effect, glyph positioning that is configured to

select a preferred placement of the glyph based on forces that

are applied to the glyph at the preferred placement as required

by each independent claim 1 and 10 on appeal.

This Brassell patent is cited by appellant and

discussed only briefly at specification, page 2, lines 18-26.

At column 3, lines 63-67, of Brassell it is taught:

> Thus, hinting by introducing slight dis-
> tortions is one form of dropout control.
> Additionally, hinting controls alignment
> between character features and character
> spacing so that rendered characters appear
> properly and evenly spaced to the viewer.

Any arguments that hinting fails to teach the claimed force

modeling and glyph positioning are misplaced because the hinting

concepts, even though they introduce distortions, control align-

ment and spacing and otherwise deal with placement and position

of the glyphs with respect to each other.

We are equally unpersuaded to the extent appellant argues that the word "modeled" or the term "model forces" argues for patentability over the teachings of Brassell. The mere manner of characterizing or presenting a metaphor or paradigm of appellant's inventive approach such as modeling does not necessarily mean that Brassell does not anticipate the subject matter as broadly recited. The "modeling" feature may be construed as taught at column 12, lines 54-58:

> [T]he glyph descriptor is mathematically
> scaled from its font unit description to
> physical pixel coordinates at routine 46.
> Following this, the scaled descriptor is
> grid fitted, or hinted, to the physical
> pixel boundaries at routine 47.

The examiner has also persuasively argued that the term "forces" is undefined in the claims and that even if Brassell merely distorts the shapes of given glyphs, such as the comparison between Figures 7 and 8, the scope of the subject matter presented on appeal does not exclude the teachings as argued by the examiner from Brassell. The examiner has well explained that Brassell describes his system that grid fits glyphs to pixels in accordance with values which in effect force

7

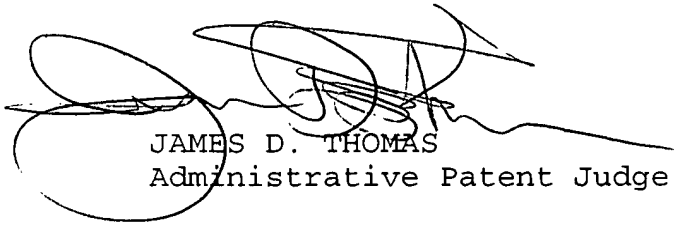the glyph to one position or another during the grid fitting operations.

As to the arguments with respect to dependent claims 4/13, 7/16 and 8/17 on pages 8 and 9 of the Brief, we are unpersuaded of the patentability of them because of the persuasive arguments presented by the examiner in the Answer with respect to each of these claims correlating the claimed features to the features of Brassell. The arguments with respect to each of these claims merely present general arguments of patentability and fail to address the examiner's detailed correlations. No Reply Brief has been filed rebutting any of the examiner's positions in the Answer.

In view of the foregoing, the decision of the examiner rejecting claims 1 through 18 under 35 U.S.C. § 102 is affirmed.

No time period for taking any subsequent action in con-
nection with this appeal may be extended under 37 CFR § 1.136(a).

<u>AFFIRMED</u>

JAMES D. THOMAS   )
Administrative Patent Judge   )
)
)
) BOARD OF PATENT
)
JERRY SMITH   )   APPEALS AND
Administrative Patent Judge   )
)   INTERFERENCES
)
)
)
ANITA PELLMAN GROSS   )
Administrative Patent Judge   )

JDT:psb

9

Appeal No. 2005-2156
Application 09/960,064

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